

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

UNITED STATES OF AMERICA,  
*ex rel.* ALEX DOE, Relator,

THE STATE OF TEXAS,  
*ex rel.* ALEX DOE, Relator,

THE STATE OF LOUISIANA,  
*ex rel.* ALEX DOE, Relator,

Plaintiffs,

V.

Civil Action No. 2:21-CV-00022-Z

PLANNED PARENTHOOD  
FEDERATION OF AMERICA, INC.,  
PLANNED PARENTHOOD GULF  
COAST, INC., PLANNED  
PARENTHOOD OF GREATER  
TEXAS, INC., PLANNED  
PLANNED PARENTHOOD SOUTH  
TEXAS, INC., PLANNED  
PARENTHOOD CAMERON  
COUNTY, INC., PLANNED  
PARENTHOOD SAN ANTONIO,  
INC.,

Defendants.

**MOTION FOR EXTENSION OF DEADLINE TO FILE  
RESPONSE TO DEFENDANT PPFA’S MOTION TO STAY AND  
MOTION FOR EXPEDITED CONSIDERATION**

Plaintiffs respectfully move this Court for an extension of time to file a response to PPFA's motion to stay (Dkt. 569) until December 18, 2023. Plaintiffs also respectfully move for expedited consideration of this motion in light of the impending deadline of December 11. In support thereof, Plaintiffs state as follows:

1. Because of the press of other work and family commitments, undersigned counsel requested an extension of time for filing objections to Defendants' six experts until Friday, December 8, 2023. Dkt. 565. The Court, finding good cause, granted the request. Dkt. 566.

2. On November 27, 2023, PPFA filed a motion to stay and motion to expedite, claiming that the briefing schedule needs to be expedited because of "looming" trial-related deadlines. Dkt. 569. But the next trial-related deadline isn't until February 12, 2024. Dkt. 567. And notably, PPFA waited nearly a month after the summary judgment ruling (Dkt. 554) to file its notice of appeal (Dkt. 568) and five weeks to file its motion to stay (Dkt. 569). PPFA cannot create a need to rush consideration by its own delay.

3. Under Local Rule 7, Plaintiffs' response to the motion to stay would be due December 18, 2023. PPFA requested that Plaintiffs file a response by December 11, 2023, and noted Plaintiffs' opposition to the request to expedite in its motion. The Court ordered Plaintiffs to respond by Monday, December 11, 2023. Dkt. 570.

4. According to the schedule now set, Plaintiffs' counsel now has a weekend to respond to the motion to stay, after filing the expert objections already due on

Friday, December 8, 2023, and after Relator's counsel travels to defend an out-of-town deposition on December 6 and 7, 2023.

5. Additionally, on November 28, 2023, shortly after the Court's order was entered, counsel for the PPFA Affiliates conferred with Plaintiffs' counsel regarding a forthcoming motion to stay from them, and they apparently also intend to ask for the same response deadlines. Plaintiffs oppose both such motions.

6. The motions to stay (and corresponding interlocutory appeal) are frivolous, but Plaintiffs require more than a weekend to prepare helpful responses for the Court.

### **CONCLUSION**

For the foregoing reasons, Plaintiffs respectfully request that the deadline for response to PPFA's motion to stay be extended until December 18, 2023. If the PPFA Affiliates also file a motion to stay, Plaintiffs should not have to respond before that date. Plaintiffs also respectfully request expedited consideration of this motion giving the approaching deadlines discussed above.

Respectfully submitted.

/s/ Heather Gebelin Hacker

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***Attorneys for State of Texas***

**CERTIFICATE OF CONFERENCE**

On November 28, 2023, counsel for Plaintiffs conferred with counsel for Defendants regarding the relief requested in this motion. Defendants are opposed.

/s/ Heather Gebelin Hacker  
Heather Gebelin Hacker

**CERTIFICATE OF SERVICE**

I hereby certify that on November 29, 2023, I electronically filed the foregoing document through the Court's ECF system, which automatically notifies counsel of record for each party.

/s/ Heather Gebelin Hacker  
Heather Gebelin Hacker